

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2840**

Wednesday, April 21, 2021, 1:00 p.m.

City Council Chamber

One Technology Center – 175 E. 2nd Street, 2nd Floor

| <b>Members Present</b> | <b>Members Absent</b> | <b>Staff Present</b> | <b>Others Present</b>   |
|------------------------|-----------------------|----------------------|-------------------------|
| Blair-R                | Adams                 | Foster-P             | Jordan, COT-R           |
| Covey-P                | Reeds                 | Hoyt-R               | Silman, COT-R           |
| Craddock-R             |                       | Miller-P             | Skates, COT-R           |
| Kimbrel-R              |                       | Sawyer-P             | VanValkenburgh, Legal-R |
| McArtor-R              |                       | Wilkerson-P          |                         |
| Shivel-R               |                       |                      |                         |
| Van Cleave-R           |                       |                      |                         |
| Walker-P               |                       |                      |                         |
| Whitlock-R             |                       |                      |                         |

R=Remote    P=in Person

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, April 19, 2021 at 4:43 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

Commissioners, Staff, and members of the public were allowed to attend and participate in the TMAPC meeting in person or via videoconferencing and teleconferencing via **GoToMeeting**, an online meeting and web conferencing tool.

After declaring a quorum present, Chair Covey called the meeting to order at 1:00 p.m.

Mr. Covey read the opening statement and rules of conduct for the TMAPC meeting.

## **REPORTS:**

**Chairman's Report:**  
**None**

**Director's Report:**

Ms. Miller reported on City Council and Board of County Commissioner actions and other special projects. She stated Planning Commission continues to operate under an emergency declaration by the Governor. Ms. Miller stated the way the Open Meetings Act is written, the ability to meet remotely will be in effect an additional 30 days from when the Governor's emergency declaration expires. Ms. Miller stated a work session will be needed in the summer to discuss the Comprehensive Plan update, Route 66 BRT Land Use Framework and proposed Zoning Code Amendments.

\* \* \* \* \*

**Minutes:**

Approval of the minutes of **April 7, 2021 Meeting No. 2839**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Shivel, Van Cleave, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Reeds, "absent") to **APPROVE** the minutes of April 7, 2021, Meeting No. 2839

**CONSENT AGENDA**

**All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.**

2. **PUD-759-A-2 W Design, LLC** (CD 8) Location: North and west of the northwest corner of East 121<sup>st</sup> Street South and South Sheridan Avenue requesting a **PUD Minor Amendment** to reduce rear yard setback

**STAFF RECOMMENDATION:**

**SECTION I:** PUD-759-A-2 Minor Amendment

Amendment Request: Revise the PUD Development Standards to reduce the required rear yard setback from 15 feet to 8 feet.

Per applicants Exhibit B, the applicant is proposing to reduce the required rear yard for the subject lot from 15 feet to 8 feet due to its visibility from the second floor lobby of a nearby office building. The applicant states that this reduction in rear yard will be made up for by the construction of an interior courtyard that would screen the space within the courtyard from view of the second floor lobby.

Staff Comment: *This request is considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

*"Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered."*

Staff has reviewed the request and determined:

- 1) PUD-759-A-2 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-759-A.
- 2) All remaining development standards defined in PUD-759-A and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment to reduce the required rear yard setback from 15 feet to 8 feet.

**Legal Description for PUD-759-A-2:**

Lots 1 and 2, Block 3 Crestwood Village

3. **PUD-187-23 Eagle Eye Construction, Brad Banks** (CD 7) Location: Northeast corner of East 65th Street South and South 72nd East Avenue requesting a **PUD Minor Amendment** to increase the allowable driveway width

**STAFF RECOMMENDATION:**

**SECTION I:** PUD-187-23 Minor Amendment

Amendment Request: Revise the PUD Development Standards to increase the allowable driveway width.

The current standards for driveway width are based on the zoning code allowances, which limit the driveway width for lots with more than 75 feet of frontage to 27 feet for drives in the right of way and 30 feet for drives in the required setback. The applicant is proposing to construct one circle drive, with each end being 16 feet in width in the right of way and setback along S 72<sup>nd</sup> E Ave. There is an existing 16 foot wide drive along E 65<sup>th</sup> St S. This results in a total proposed drive width of 48 feet. The lot has approximately 223 feet of frontage, which means the requested drive width would be just under 22% of the total street frontage for the subject lot.

Staff Comment: This request is considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.

*"Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered."*

Staff has reviewed the request and determined:

- 1) PUD-187-23 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-187.
- 2) All remaining development standards defined in PUD-187 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment to increase the allowable drive width to 48 feet.

**Legal Description for PUD-187-23:**

Lot 15, Block 11 Shadow Mountain

4. **PUD-857-1 Select Design, Ryan McCarty** (CD 3) Location: North of the northwest corner of East 181<sup>st</sup> Street South and South Yale Avenue requesting a **PUD Minor Amendment** to reduce side yard setbacks and remove minimum dwelling size requirement

**STAFF RECOMMENDATION:**

**SECTION I:** PUD-857-1 Minor Amendment

Amendment Request: The applicant is proposing to amend the PUD to reduce the required side yard setbacks and remove the minimum dwelling size requirement.

Currently PUD-857 requires side yards to be a minimum of 15 feet. The applicant proposes to reduce this to a minimum of 7 ½ feet. This would apply to both side yards of the lots within the PUD and would provide a minimum of 15 feet between residences as opposed to the 30 feet provided by the current restrictions.

The PUD also contains a requirement for minimum dwelling sizes of 2,500 sf of heated living space. The applicant proposes to remove this minimum dwelling size requirement from the development standards of the PUD. The applicant has stated that they intend to include a minimum dwelling size requirement in the private restrictions of the final plat.

Staff Comment: This request is considered a Minor Amendment as outlined by Section 1170.7 of the Tulsa County Zoning Code.

*“Minor changes in the PUD may be authorized by the Planning Commission, which may direct the processing of an amended subdivision plat, incorporating such changes, so long as a substantial compliance is maintained with the outline development plan and the purposes and standards of the PUD provisions hereof. Changes which would represent a significant departure from the outline*



*development plan shall require compliance with the notice and procedural requirements of an original Planned Unit Development."*

Staff has reviewed the request and determined:

- 1) PUD-857-1 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-857.
- 2) All remaining development standards defined in PUD-857 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment to reduce the required side yard setback to 7 ½ feet and to remove the minimum dwelling size requirement.

**Legal Description PUD-857-1:**

A TRACT OF LAND THAT IS THE EAST HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (E/2 N/2 SW/4 SE/4) AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 SE/4 SE/4) AND THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (S/2 NE/4 SE/4) OF SECTION THIRTY-THREE (33), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SE/4 OF SAID SECTION 33;  
THENCE NORTH 01°02'25" WEST ALONG THE EAST LINE THEREOF 658.98 FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 88°45'38" WEST 1982.33 FEET;  
THENCE NORTH 01°03'34" WEST 659.39 FEET;  
THENCE NORTH 88°46'21" EAST 660.85 FEET;  
THENCE NORTH 01°03'11" WEST 659.25 FEET;  
THENCE NORTH 88°47'03" EAST 1321.84 FEET TO THE EAST LINE OF THE SE/4 OF SECTION 33;  
THENCE SOUTH 01°02'25" EAST ALONG SAID EAST LINE 1317.95 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 2,177,967.19 SQUARE FEET OR 50.00 ACRES.  
BEARINGS ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, OK NORTH ZONE 3501, NAD83, USING THE EAST LINE OF THE SE/4 OF SECTION 33, T17N, R13E AS NORTH 01°02'25" WEST.

5. **Brownco Addition** (CD 3) Minor Subdivision Plat, Location: West of the northwest corner of East Pine Street and North David Patrick Avenue

**STAFF RECOMMENDATION:**

**MINOR SUBDIVISION PLAT**

**Brownco Addition** – (CD 3)

West of the northwest corner of East Pine Street and North David Patrick Avenue

This plat consists of 1 lot, 1 block on 8.79 ± acres.

The Technical Advisory Committee (TAC) met on July 2, 2020 and provided the following comments:

1. **Zoning:** The subject tract is zoned IM. Lot conforms to the requirements of the IM district. Approved as submitted.
2. **Addressing:** Approved as submitted.
3. **City of Tulsa:** Approved as submitted. Release letter received March 24, 2021.
4. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All required release letters and certificate of oil & gas records have been submitted.

Staff recommends **APPROVAL** of the minor subdivision plat as submitted.

**TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Shivel, Van Cleave, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Reeds, “absent”) to **APPROVE** Consent Agenda Items 2 through 5 per staff recommendation.

**PUBLIC HEARING-REZONING**

6. **CO-10 Lou Reynolds** (CD 2) Location: North of the northwest corner of East 81<sup>st</sup> Street South and South Lewis Avenue requesting **Major Amendment** to a Corridor Development Plan (Continued from December 16, 2020, January 20, 2021 and February 3, 2021. Moved from February 17, 2021 and continued from March 17, 2021)

The applicant stated he needed more time to see if some of the issues could be worked out with the neighbors.

All Interested parties attending in person and online had no objections to a continuance on CO-10 to May 5, 2021.

**TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Shivel, Van Cleave, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Reeds, “absent”) to **CONTINUE** Item 6 to May 5, 2021.

\* \* \* \* \*

7. **Z-7601 Matthew Boyd** (CD 2) Location: West of the southwest corner of West 23rd Street South and South Jackson Avenue requesting rezoning from CS to CH

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7601**

**DEVELOPMENT CONCEPT:** Rezone from CS to CH to expand allowable uses and expand maximum floor area opportunities.

**DETAILED STAFF RECOMMENDATION:**

Z-7601 requesting CH zoning allows uses and building types that are consistent with the Mixed-Use land use designation.

The Eugene Fields small area plan was adopted in 2013 and recognized that this site is part of a Mixed-Use Corridor. Uses allowed in a CH district are consistent with that vision.

Uses allowed in an CH district are consistent with the expected development pattern of the surrounding properties.

The Area of Growth anticipates redevelopment opportunities and CH zoning supports uses that are included in that concept therefore,

Staff recommends Approval of Z-7601 to rezone property from CS to CH.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: Uses and building placement supported in a CH district are consistent with the expected development pattern in the area and consistent with the development.*

**Land Use Vision:**

*Land Use Plan map designation:* Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along

Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

*Areas of Stability and Growth designation: Area of Growth*

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

*Major Street and Highway Plan:*

The Major Street and Highway Plan illustrates this site as an urban arterial street with a multi modal corridor designation. The cross section for an urban arterial / multi-modal street cross includes two lanes with no center turn lane, bike lanes and 11-foot-wide sidewalks and street trees on one side.

The small area plan recommendation for W. 23<sup>rd</sup> is not consistent and includes 4 lanes with no bike lane and no center turn lane.

*Trail System Master Plan Considerations: None*

Small Area Plan: Eugene Field Small Area Plan

This site is near the center of the Eugene Field Small Area plan and is one of the few commercial development opportunities in the area and is illustrated in the plan between two Urban Renewal Housing properties. The plan was effective May 2013. Significant redevelopment has started

on the north side of E. 23<sup>rd</sup> Street directly across the street from the subject property.

The plan has specific recommendations for increasing the commercial development opportunities, encouraging building placement closer to the street, installing trees along the street and generally improving the pedestrian experience along West 23<sup>rd</sup> Street South.

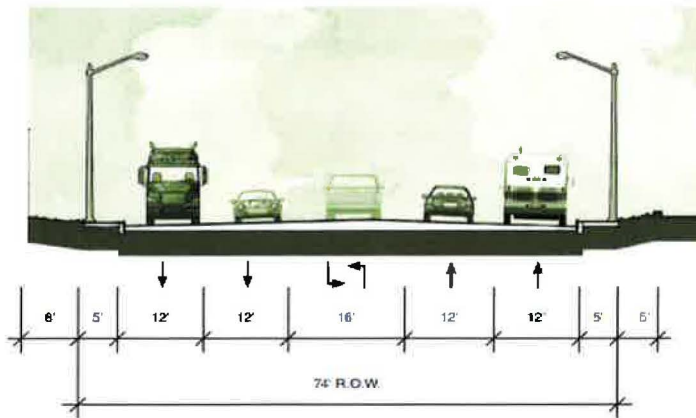
The small area plan recommends removing the center turn lane on West 23<sup>rd</sup> Street South widening sidewalks and installing street trees.

Several recommendations were provided in the plan. One of the recommendations specific to this site is to “clearly define the character of West 23<sup>rd</sup> Street as the neighborhood commercial center, encouraging retail and neighborhood services to locate along this corridor.”

Street Cross Sections shown on the following page are part of the Eugene Fields Small Area Plan:

## West 23rd Street

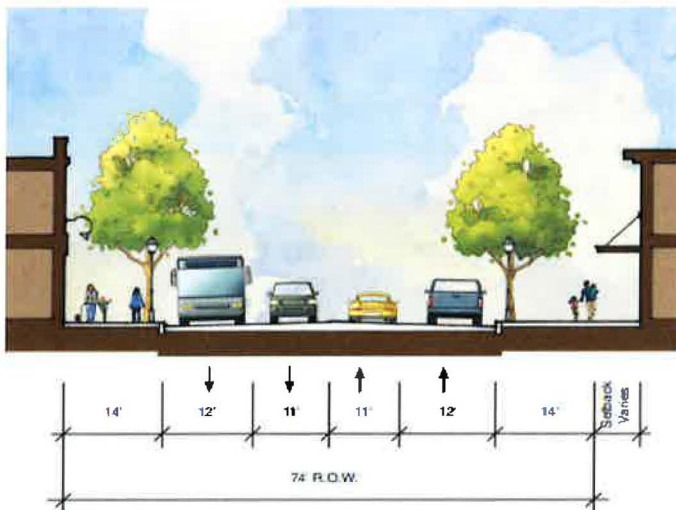
### EXISTING CONDITIONS



### PROPOSED IMPROVEMENTS

- » Eliminate central turn lane
- » Narrow lanes to improve pedestrian crossings
- » Provide a 14-foot sidewalk on both sides to facilitate commercial activity
- » Traffic light at South Nogales Avenue

### PROPOSED CONDITIONS



Special District Considerations: None

Historic Preservation Overlay: None

### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: This rezoning request is part of the existing shopping center. The street view is from the north boundary looking south.





Environmental Considerations: None that would affect CH zoning decisions.

Streets:

| <u>Exist. Access</u>               | <u>MSHP Design</u> | <u>MSHP R/W</u> | <u>Exist. # Lanes</u>  |
|------------------------------------|--------------------|-----------------|--|
| West 23 <sup>rd</sup> Street South | Urban Arterial     | 70 feet         | 5<br>Two lanes each direction with median and left turn lanes. |

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

| <b>Location</b> | <b>Existing Zoning</b> | <b>Existing Land Use Designation</b> | <b>Area of Stability or Growth</b> | <b>Existing Use</b>  |
|-----------------|------------------------|--------------------------------------|------------------------------------|--|
| North           | MX1-U-55               | Mixed-Use Corridor                   | Growth                             | Multifamily re-development (Aerial photos illustrate buildings that have been removed. New construction is in process) |
| East            | CS                     | Mixed-Use Corridor                   | Growth                             | Shopping center  |
| South           | RM-2                   | New Neighborhood                     | Growth                             | Multifamily  |
| West            | CS                     | Mixed-Use Corridor                   | Growth                             | Shopping Center  |

### SECTION III: Relevant Zoning History



**ZONING ORDINANCE:** Ordinance number 11814 dated June 26, 1970 established zoning for the subject property.

***Subject Property:***

**BOA-19950 January 2005:** The Board of Adjustment **approved** a *Variance* of required parking for a church located in a shopping center in a CS district from 185 spaces to 84 spaces, finding the times the church would need parking spaces, Sundays and Wednesdays would be when most of the tenants would be closed and to tie the approval to the space known as 734 West 23<sup>rd</sup> Street, containing approximately 4,087 sq. ft., on property located at 734 West 23<sup>rd</sup> Street South.

**BOA-08361 September 1974:** The Board of Adjustment **approved** an *Exception* to construct, maintain, and permit use of an auto wash facility, subject to the submission of building plans to the TURA board for its approval, reaffirming the minutes of April 6, 1972 in regard to the landscape being provided in lieu of the screening fence between the CS and the RM-2 to the south, in a CS District, on property located at 726 West 23<sup>rd</sup> Street.

**BOA-08054 September 1973:** The Board of Adjustment **approved** a *Minor Variance* for a waiver of major street setback requirements from 60' to 40' from the centerline of 23<sup>rd</sup> Street to permit the erection of a pole sign, subject to the customary removal contract, and that the sign not hang over the right of way in a CS District on property located at 724 West 23<sup>rd</sup> Street.

**BOA-07399 April 1972:** The Board of Adjustment **approved** an *Exception* to modify the screening wall requirements on the south side between apartments and shopping center in a CS District, subject to approval of the landscaping plan by the Tulsa Urban Renewal Authority and the housing project (Riverview Village, Inc.), on property located at 704 West 23<sup>rd</sup> Street.

***Surrounding Property:***

**BOA-22788 November 2019:** The Board of Adjustment **approved** the request for a *Variance* to reduce the required Transparency Percentages for a building façade in a MX-1-U District; *Variance* of the required minimum parking ratios for an Apartment/Condo in an MX-1-U District, subject to conceptual plans 21.8-21.14 of the agenda packet, finding the hardship to be the uniqueness of the property as well as the intended for residential use, subject to the reduction in transparency from 20% to 10% be only applicable to residential buildings and the parking be based on one off street parking space per unit, on property located north of West

23<sup>rd</sup> Street South and South of West 21<sup>st</sup> Street South between Southwest Boulevard and South Jackson Avenue.

**Z-7494/PUD-796-A Abandonment September 2019:** All concurred in **approval** of a request for *rezoning* a 41.1+ acre tract of land from RM-1/RM-2/CS/CH to MX1-U-55 and *Major Amendment* to Abandon PUD-796 for a mixed-use development, on property located southeast corner of Southwest Boulevard and West 21<sup>st</sup> Street South.

**SA-1 September 2016:** All concurred in **approval** of a request for a Special Area Overlay on multiple properties along the Arkansas River extending from W. 11<sup>th</sup> St. S. to E. 121<sup>st</sup> St. S., to establish the River Design Overlay as a supplemental zoning, RDO-1, RDO-2, or RDO-3 and regulations to govern the form, function, design and use of the properties located within the boundaries of the River Design Overlay District. The regulations are generally intended to maintain and promote the Arkansas River corridor as a valuable asset to the city and region in terms of economic development and quality of life.

**BOA-19632 August 2003:** The Board of Adjustment **approved** a *Special Exception* to allow the screening fence to be moved, per plan, on property located at south of the southeast corner of West 23<sup>rd</sup> Street and South Maybelle.

**BOA-09047 June 1976:** The Board of Adjustment **approved** an *Exception* to modify the screening requirements where an alternative screening will provide visual separation of uses, subject to an agreement between the property owners being made a part of the record, in a CS District, on property located at 704-818, inclusive, West 23<sup>rd</sup> Street.

**BOA-07055 June 1971:** The Board of Adjustment **approved** a *Variance* to modify the parking requirements in an RM-2 District from 388 spaces to 345 spaces, on property located at 2316 South Jackson Avenue.

**BOA-06807 November 1970:** The Board of Adjustment **approved** a *Variance* under the provision of Section 1470.1, to permit more than 40 units on 1 lot (as evidenced by plans previously approved by the Planning Commission and City Commission), on property located between 22<sup>nd</sup> Street and 26<sup>th</sup> Street, between Southwest boulevard and Jackson Avenue.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Comments:**

Mr. Blair asked if the detached structures on both the East and the West would remain zoned CS while the subject property if approved, would be zoned CH. He stated there is not a lot of differences between CH and CS but there are some uses allowed by right or by exception. He asked if there was a concern about pulling this one piece of the shopping center out as its own distinct zoning category.

Staff stated along this mixed use corridor there are already industrial uses in the area. He stated it is in the middle of a shopping center but it is such a small site that staff felt like the potential concerns would be on such a small scale that it would be unlikely to have a negative impact on the surrounding area.

Mr. Craddock asked if the properties in the strip center all had the same ownership.

Staff stated it was his understanding that each parcel had separate ownerships and there was no consensus with the other two property owners with rezoning right now.

Mr. Craddock asked if the current use was a dispensary and the applicant wants to add processing.

Staff stated that was an applicant question, but as far as the zoning there will be limitations on what kind of processing could happen at that location.

#### **Applicant Comments:**

**Matthew Boyd** 708 W 23rd Street, Tulsa Oklahoma 74107

Mr. Craddock asked if the strip center is owned by one party or are there multiple owners.

The Applicant stated there is one owner Mr. Tom Culver who is a well-known businessman.

Mr. Craddock stated the request is to rezone one specific portion of the single ownership asset.

The applicant stated, "Yes sir".

Mr. Craddock asked if he could have more information on the difference between a dispensary and the low impact medical marijuana processing and what that entailed.

The applicant stated he has been in this location for over two years and some of the rules have changed in the cannabis industry. He stated he reapplied for permit last year after having been a processor for a year. The applicant stated there were several new rules such as ADA bathrooms but the permit was still pending. He stated after reaching OMMA they informed the applicant that the correct zoning was not in place for processing. He stated those policies were not in place when he signed the lease and opened the business a couple years ago.

Mr. Craddock asked if the property owner agreed as far as splitting up the zoning, of his property.

The applicant stated, "Yes sir", he is in full agreement.

Mr. Craddock asked staff if it was common to rezone a portion of a property like this one that has the same owner.

Staff stated it would be odd if there were not already separate parcels identified. The strip center has three separate parcels, it is something that we see occasionally.

**TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Shivel, Van Cleave, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Reeds, "absent") to recommend **APPROVAL** of the CH zoning for Z-7601 per staff recommendation.

**Legal Description Z-7601:**

The East 330 feet of Block X Less and Except Beginning Northeast Corner; Thence South 200 feet; Thence West 129.47 feet; Thence North 200.06 feet; Thence East 129.71 feet to the Point of Beginning, Riverview Park Addition

\* \* \* \* \*

8. **Z-7603 Tanner Consulting, LLC** (CD 8) Location: South of the southeast corner of East 121st Street South and South Hudson Avenue requesting rezoning from **AG to RS-3**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7603**

**DEVELOPMENT CONCEPT:**

The applicant has submitted a request to rezone the property from AG to RS-3 for single family residential subdivision construction.

**DETAILED STAFF RECOMMENDATION:**

Z-7603 requesting RS-3 zoning allows single family residential uses that are compatible with the surrounding properties and,

Lot and building regulations in a RS-3 district are consistent with the surrounding properties and consistent with the anticipated future development pattern of the surrounding property that has not been developed and,

RS-3 zoning is consistent with the New Neighborhood land use designation of the Comprehensive Plan therefore,

Staff recommends Approval of Z-7603 to rezone property from AG to RS-3.

## **SECTION II: Supporting Documentation**

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The New Neighborhood land use designation in this area anticipates the single-family residential development contemplated with RS-3 zoning designation.*

### **Land Use Vision:**

#### *Land Use Plan map designation: New Neighborhood*

The New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or New Neighborhood or Town Center.

#### *Areas of Stability and Growth designation: Area of Growth*

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

### **Transportation Vision:**

*Major Street and Highway Plan: None*

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Environmental Considerations:

The site is undeveloped, wooded and nearly flat. Grading and drainage for the site will require removal of most of the vegetation on the site during the construction phase. The site is near the Arkansas River and abutting new subdivision construction east, south, and west. Staff is not aware of protected wildlife habitat on the site.

Streets:

| <u>Exist. Access</u> | <u>MSHP Design</u>    | <u>MSHP R/W</u> | <u>Exist. # Lanes</u> |
|----------------------|-----------------------|-----------------|-----------------------|
| South Hudson Avenue  | Residential Collector | 60 feet         | 2                     |

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

| <b>Location</b> | <b>Existing Zoning</b> | <b>Existing Land Use Designation</b> | <b>Area of Stability or Growth</b> | <b>Existing Use</b>   |
|-----------------|------------------------|--------------------------------------|------------------------------------|---|
| North           | AG                     | New Neighborhood                     | Growth                             | undeveloped   |
| East            | RS-3                   | New Neighborhood                     | Growth                             | Single family residential (subdivision in the construction phase)         |
| South           | RS-3                   | New Neighborhood                     | Growth                             | Single family residential (subdivision in the construction phase)         |
| West            | RS-3/PUD-803           | New Neighborhood                     | Growth                             | Single family residential with some private streets as allowed by the PUD |

### **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11838 dated June 26, 1970 established zoning for the subject property.

#### ***Subject Property:***

No Relevant History.

#### ***Surrounding Property:***

**Z-7337 May 2016:** All concurred in **approval** of a request for *rezoning* a 33+ acre tract of land from AG to RS-3 Single-family residential development, on property located south of the southwest corner of East 121<sup>st</sup> Street South and South Sheridan Road.

**Z-7243/PUD-803 January 2014:** All concurred in **approval** of a request to rezone a 122+ acre tract of land from AG to RS-3 and **approval** of a proposed *Planned Unit Development* for a Single-family residential development, on property located west of the southwest corner of East 121<sup>st</sup> Street South and South Sheridan Road.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

#### **TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Shivel, Van Cleave, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Reeds, "absent") to recommend **APPROVAL** of the RS-3 zoning for Z-7603 per staff recommendation.

#### **Legal Description Z-7603:**

A TRACT OF LAND THAT IS THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (W/2 SW/4 NE/4) OF SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID W/2 SW/4 NE/4; THENCE NORTH 0°57'49" WEST AND ALONG THE WEST LINE OF THE W/2 SW/4 NE/4, FOR A DISTANCE OF 1322.74 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 88°54'35" EAST AND ALONG THE NORTH LINE OF THE W/2 SW/4 NE/4, FOR A DISTANCE OF 658.99 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 0°58'35" EAST AND ALONG THE EAST LINE OF THE



W/2 SW/4 NE/4, FOR A DISTANCE OF 1322.03 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 88°50'52" WEST AND ALONG THE SOUTH LINE OF THE W/2 SW/4 NE/4, FOR A DISTANCE OF 659.28 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 871,628 SQUARE FEET OR 20.010 ACRES.

#### **Basis of Bearing**

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

- (1) 1" IRON PIN FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 3;
- (2) 3/8" IRON PIN WITH YELLOW PLASTIC CAP FOUND AT THE SOUTHWEST CORNER THE SOUTHEAST QUARTER (SE/4) OF SECTION 3;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 0°57'49" EAST.

### **PUBLIC HEARING-COMPREHENSIVE PLAN AMENDMENTS**

9. **TCCP-5** consider adoption of an amendment to the **Comprehensive Plan of the Tulsa Metropolitan Area** for the unincorporated areas of Tulsa County lying within the Jenks fenceline.

#### **STAFF RECOMMENDATION:**

##### **Item**

**TCCP-5** Discuss an amendment to the **Tulsa County Comprehensive Land Use Plan** to update the comprehensive plan in the **unincorporated areas of the Jenks' fenceline**.

##### **Background**

On July 15, 2019, the Jenks Comprehensive Plan was adopted as part of the Tulsa County Comprehensive Land Use Plan.

Jenks has recently updated their comprehensive plan, now referred to as Horizon Jenks Comprehensive Plan. The new plan was adopted September 1, 2020.

As anticipated and discussed at the TMAPC Work Session on March 17, 2021, this change will require an amendment to the Tulsa County Comprehensive Plan

in order to reflect the new comprehensive plan in the unincorporated areas within the Jenks fenceline. It will include both map and text amendments.

### **Public Process**

The Horizon Jenks Comprehensive Plan was completed in a four-step planning process that began with extensive public outreach and engagement with City staff, the Comprehensive Plan Advisory Committee, and the community at large. The Advisory Committee included residents, representative of businesses, schools, and other community organizations.

As part of the planning process, the City hosted several events including stakeholder interviews and focus groups, an advisory committee workshop, a community workshop, a business workshop, an elected officials' roundtable, and visioning/subareas workshops with students and the larger community. Input was gathered through in-person and online participation.

### **Staff Recommendation**

Staff recommends that TMAPC adopt an amendment to the Tulsa County Comprehensive Land Use Plan for the unincorporated areas of Tulsa County within the fenceline of Jenks, Oklahoma.

**There were no interested parties wishing to speak.**

#### **TMAPC Comments:**

Mr. Walker asked if there was significant movement in the fenceline.

Staff stated there has not been any movement in the fenceline at all but Jenk's has a new Comprehensive Plan and some of the land use categories and the way that they are looked at.

#### **TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Shivel, Van Cleave, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Reeds, "absent") to **ADOPT** TCCP-5 as an amendment to the Tulsa County Comprehensive Land Use Plan for the unincorporated areas of Tulsa County within the fenceline of Jenks, Oklahoma per staff recommendation.

### **OTHER BUSINESS**

#### **10. Commissioners' Comments**

None

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## ADJOURN

### **TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Shivel, Van Cleave, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Reeds, "absent") to **ADJOURN** TMAPC meeting of April 21, 2021, Meeting No. 2840.

## ADJOURN

There being no further business, the Chair declared the meeting adjourned at 1:30 p.m.

Date Approved:

05-05-2021

  
Chairman

ATTEST:



Secretary